

## **EXECUTIVE SUMMARY**

### **OCCUPATIONAL SAFETY AND HEALTH APPEALS BOARD**

Summary of Kinetic Systems, Inc. – Decision After Reconsideration

The evidence established a violation of section 3328(e); the record showed that the equipment in question was not designed to minimize hazards, and employer's own accident investigation revealed possible design "issues". Penalty reduction was inappropriate because the parties had already stipulated to a penalty amount greater than that ordered by the Administrative Law Judge.

**Kinetic Systems, Inc., 06-3627**

**April 8, 2010**

**3328(e)**